

**To:** Shapiro, Mike[Shapiro.Mike@epa.gov]; Best-Wong, Benita[Best-Wong.Benita@epa.gov]  
**Cc:** Eisenberg, Mindy[Eisenberg.Mindy@epa.gov]; Hough, Palmer[Hough.Palmer@epa.gov]  
**From:** Goodin, John  
**Sent:** Thur 3/16/2017 3:16:09 PM  
**Subject:** FW: Materials for Pre-brief for Bristol Bay Settlement Discussion at 10:45 tomorrow  
Response to Pebble's Talking Points.docx

Keeping you in the loop.

**From:** Hough, Palmer  
**Sent:** Thursday, March 16, 2017 11:07 AM  
**To:** Goodin, John <Goodin.John@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>  
**Subject:** FW: Materials for Pre-brief for Bristol Bay Settlement Discussion at 10:45 tomorrow

FYI – Ashley put together an effective response to PLP’s TPs that were attached to the email that Heidi sent yesterday with all the briefing materials. Please share this with appropriate folks in OW.

**From:** Palomaki, Ashley  
**Sent:** Wednesday, March 15, 2017 7:17 PM  
**To:** Nalven, Heidi <Nalven.Heidi@epa.gov>; Hough, Palmer <Hough.Palmer@epa.gov>; Allnutt, David <Allnutt.David@epa.gov>; Young, Margo <Young.Margo@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Stern, Allyn <Stern.Alyn@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Simons, Andrew <Simons.Andrew@epa.gov>; Green, Noelle <Green.Noelle@epa.gov>  
**Subject:** RE: Materials for Pre-brief for Bristol Bay Settlement Discussion at 10:45 tomorrow

All-

I pulled this together as a response to PLP’s talking points. Given the lack of time and to ensure shortest possible review, this information is pulled from the briefing materials that we recently put together. Where I have added new information, I included the source in a comment bubble. The only new section is at the end, **Ex. 5 - Attorney Work Product**. I also added a paragraph on the Cohen report, but I pulled the language directly from a letter to Congress.

While Justin heard a lot of this at the prior briefing, I think it's important to emphasize given PLP's talking points and the fact that Justin is probably constantly inundated with information at briefings.

Ashley

**Ashley Palomaki**

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**From:** Nalven, Heidi

**Sent:** Wednesday, March 15, 2017 1:55 PM

**To:** Goodin, John <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>; Eisenberg, Mindy <[Eisenberg.Mindy@epa.gov](mailto:Eisenberg.Mindy@epa.gov)>; Hough, Palmer <[Hough.Palmer@epa.gov](mailto:Hough.Palmer@epa.gov)>; Allnutt, David <[Allnutt.David@epa.gov](mailto:Allnutt.David@epa.gov)>; Young, Margo <[Young.Margo@epa.gov](mailto:Young.Margo@epa.gov)>

**Cc:** Neugeboren, Steven <[Neugeboren.Steven@epa.gov](mailto:Neugeboren.Steven@epa.gov)>; Wehling, Carrie <[Wehling.Carrie@epa.gov](mailto:Wehling.Carrie@epa.gov)>; Stern, Allyn <[Stern.Alyn@epa.gov](mailto:Stern.Alyn@epa.gov)>; Steiner-Riley, Cara <[Steiner-Riley.Cara@epa.gov](mailto:Steiner-Riley.Cara@epa.gov)>; Palomaki, Ashley <[Palomaki.Ashley@epa.gov](mailto:Palomaki.Ashley@epa.gov)>

**Subject:** FW: Materials for Pre-brief for Bristol Bay Settlement Discussion at 10:45 tomorrow

All – Attached are the documents we sent to our Front office for the pre-brief tomorrow.

I would note that we just got PLP's settlement talking points (attached here). My understanding is that Region 10 ORC is considering putting together a response for folks here. I would also note that PLP now seems to be asking for EPA to not rely on the BBWA, withdraw the PD and agree to be bound by the 404(q) MOA in exchange for dismissing the FACA lawsuit only.

**From:** Nalven, Heidi

**Sent:** Wednesday, March 15, 2017 4:34 PM

**To:** OGC Immediate Office Support <[OGCFrontOfficeSupportStaff@epa.gov](mailto:OGCFrontOfficeSupportStaff@epa.gov)>

**Cc:** Neugeboren, Steven <[Neugeboren.Steven@epa.gov](mailto:Neugeboren.Steven@epa.gov)>; Wehling, Carrie <[Wehling.Carrie@epa.gov](mailto:Wehling.Carrie@epa.gov)>; Stern, Allyn <[Stern.Allyn@epa.gov](mailto:Stern.Allyn@epa.gov)>; Steiner-Riley, Cara <[Steiner-Riley.Cara@epa.gov](mailto:Steiner-Riley.Cara@epa.gov)>; Palomaki, Ashley <[Palomaki.Ashley@epa.gov](mailto:Palomaki.Ashley@epa.gov)>; Simons, Andrew <[Simons.Andrew@epa.gov](mailto:Simons.Andrew@epa.gov)>

**Subject:** Materials for Pre-brief for Bristol Bay Settlement Discussion at 10:45 tomorrow

Kevin and Justin – We have attached three documents for our pre-brief tomorrow including (1)

A briefing paper addressing PLP's asks, **Ex. 5 - Attorney Work Product** and (3) PLP's talking points that they sent to DOJ for Friday's meeting.

**Heidi Nalven**

U.S. EPA Office of General Counsel

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